REGISTERED No. M. 4631.

KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

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NOTIFICATION.

No. 2374|LA. 4|60.

The following Bill together with the Statement of Objects and Reasons and the Financial Memorandum attached to it, is published, as ordered by the Speaker under Rule 73 of the Rules of Procedure and Conduct of Business in the Assembly.

Legislature Secretariat,
Trivandrum, 21st July 1960.

D. TIRUMALAI IYENGAR,
Secretary,
Legislative Assembly.

PRINTED AND PUBLISHED BY THE S.G.P. AT THE GOVERNMENT PRESS,
TRIVANDRUM, 1960.

L. A. Bill No. 32 of 1960.

THE KERALA KHADI AND VILLAGE INDUSTRIES BOARD (AMENDMENT) BILL, 1960

A

BILL

to amend the Kerala Khadi and Village Industries Board Act, 1957.

Preamble.—WHEREAS it is expedient to amend the Kerala Khadi and Village Industries Board Act, 1957, for the purposes hereinafter appearing;

BE it enacted in the Eleventh Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Kerala Khadi and Village Industries Board (Amendment) Act, 1960.

(2) It shall come into force on such date as the Government may, by notification in the Gazette, appoint.

2. *Amendment of section 2.*—In section 2 of the Kerala Khadi and Village Industries Board Act, 1957 (Act 9 of 1957), hereinafter referred to as the principal Act,—

(i) after clause (ii), the following clause shall be inserted, namely:—

"(ii-a) "Khadi and Village Industries Commission" means the Khadi and Village Industries Commission established under section 4 of the Khadi and Village Industries Commission Act, 1956 (Central Act 61 of 1956);";

(ii) after clause (iv), the following clause shall be inserted, namely:—

"(iv-a) "secretary" means the secretary to the Board appointed under sub-section (1) of section 10;"

3. *Amendment of section 4.*—In section 4 of the principal Act,—

(i) for sub-section (2), the following sub-section shall be substituted, namely:—

"(2) (a) The Board shall consist of not less than five and not more than fifteen members including the chairman and the vice-chairman. The appointment of members except the chairman shall be made by the Government.

(b) The Minister in charge of the Industries Department shall be the chairman of the Board.

(c) The vice-chairman shall be appointed by the Government from among the non-official members of the Board.

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(d) The Government shall appoint as members—

(i) only such non-officials as have shown an active interest in the production and development of khadi or in the development of village industries; and

(ii) officials.";

(ii) in sub-section (3), for the words "The chairman and the other members", the words "The vice-chairman and the other members" shall be substituted.

4. *Amendment of section 6.*—In sub-section (1) of section 6 of the principal Act, in clause (a), the words "other than the office of secretary" shall be added at the end.

5. *Amendment of section 9.*—In section 9 of the principal Act, the words "the chairman or" shall be omitted.

6. *Insertion of new section 9A.*—After section 9 of the principal Act, the following section shall be inserted, namely:—

"9A. *Temporary association of persons with the Board for particular purposes.*—(1) The Board may associate with itself in such manner and for such purposes as may be determined by regulations any person whose assistance or advice it may desire in carrying out any of the provisions of this Act.

(2) A person associated with the Board under sub-section (1) shall not be deemed to be a member of the Board, and shall have no right to vote at any meeting thereof, but he may take part in the discussions of the Board relating to the purpose or purposes for which he was associated with the Board.

(3) The Government may, by order, depute one or more officers of the Government to attend any meetings of the Board and to take part in the discussions of the Board, but such officer or officers shall not have the right to vote.

7. *Substitution of new section for section 10.*—For section 10 of the principal Act, the following section shall be substituted, namely:—

"10. *Secretary and other members of staff of Board.*—(1) The Government may appoint a person to be the secretary to the Board.

(2) The remuneration, allowances and other conditions of service of the secretary shall be such as may be prescribed.

(3) The secretary shall exercise such powers and discharge such duties as may be prescribed.

(4) The Board may appoint such other members of the staff of the Board as it may consider necessary.

(5) The remuneration, allowances and other conditions of service of the members of the staff of the Board, other than the secretary, shall be such as may be determined by regulations".

8. *Substitution of new section for section 11.*—For section 11 of the principal Act, the following section shall be substituted, namely:—

"11. *Standing finance committee and other committees.*—(1) The Board may appoint a standing finance committee to exercise such powers and perform such functions relating to the finances of the Board as may be laid down by regulations.

(2) Subject to any rule made under section 33, the Board may, from time to time, appoint one or more other committee or committees for the purpose of securing the efficient discharge of its functions and in particular for the purpose of securing that the said functions are exercised with due regard to the circumstances and requirements of khadi or any particular village industry. Such committees may be appointed for any particular area.".

9. *Amendment of section 12.*—In section 12 of the principal Act,—

(i) for sub-section (2), the following sub-section shall be substituted, namely:—

"(2) The chairman or, in his absence, the vice-chairman or, if he is also absent, such member as may be chosen by the members present from among themselves shall preside at a meeting of the Board.";

(ii) after sub-section (3), the following sub-section shall be added, namely:—

"(4) The proceedings of the meeting of the Board shall be forwarded to the Government within fifteen days of every meeting.".

10. *Amendment of section 14.*—In section 14 of the principal Act, for the words "the chairman and the other members". the words "the vice-chairman and the other members" shall be substituted.

11. *Amendment of section 15.*—In sub-section (2) of section 15 of the principal Act,—

(i) for clause (2), the following clauses shall be substituted, namely:—

"(2) to provide deserving persons with grainful employment in their homes through the organisation of khadi and village industries;

(2-a) to grant loans and give other assistance for the development of khadi and village industries;";

(ii) for clause (5), the following clause shall be substituted, namely:—

"(5) to arrange for the supply of raw materials, tools and implements to khadi and village industries and for the sale of their finished products;";

(iii) after clause (6), the following clause shall be inserted namely:—

"(6-a) to carry on trading activities by way of running of emporia, neera bhavans, depots, manufacturing centres and the like;";

(iv) for clause (9), the following clause shall be substituted, namely:—

"(9) to encourage and promote research in the technique of production of khadi or in the development of village industries;".

12. *Amendment of section 16.*—In clause (i) of section 16 of the principal Act, after the existing proviso, the following further proviso shall be inserted, namely:—

"Provided, however, that the previous sanction of the Government shall not be necessary for any lease, sale or other transfer of immovable property to the Khadi and Village Industries Commission;".

13. *Insertion of new section 19A.*—After section 19 of the principal Act, the following section shall be inserted, namely:—

"19A. *Power of Board to make alteration in the programme or supplementary programme.*—The Board may with the previous approval of the Khadi and Village Industries Commission make any alteration in any scheme so long as the aggregate amount sanctioned for the scheme is not exceeded. A report of the alteration shall be sent to the Government in such form and within such time as may be prescribed.".

14. *Amendment of section 23.*—In section 23 of the principal Act, to sub-section (2), the following proviso shall be added, namely:—

"Provided that the previous sanction of the Government shall not be necessary to borrow any sum from the Khadi and Village Industries Commission."

15. *Amendment of section 25.*—Section 25 of the principal Act shall be re-numbered as sub-section (1) of that section and after sub-section (1) as so re-numbered, the following sub-section shall be inserted, namely:—

"(2) No sum shall be expended by or on behalf of the Board unless such expenditure is covered by a specific provision in the budget approved by the Government under sub-section (1):

Provided that the Board may, within the limits of the budget, sanction any reappropriation from one head of expenditure to another or from a provision made for one scheme to that in respect of another.".

16. *Insertion of new sections 29A and 29B.*—After section 29 of the principal Act, the following sections shall be inserted, namely:—

"29A. *Recovery of arrears.*—If any amount due to the Board in accordance with the terms of a contract or otherwise or any sum payable in connection therewith, has not been paid, such amount or sum shall, without prejudice to any other remedy provided by law, be recoverable as arrears of land revenue under the Revenue Recovery Act for the time being in force.

29B. *Power to write off irrecoverable amount.*—The Board may write off any sum not exceeding one hundred rupees in each case, subject to an annual limit of two thousand rupees, if in its opinion such sum is irrecoverable.".

17. *Substitution of new section for section 30.*—For section 30 of the principal Act, the following section shall be substituted, namely:—

"30. *Power of Government to give directions.*—In the discharge of its functions under this Act the Board shall be bound by such directions as may be given to it by the Government.".

18. *Insertion of new section 30A.*—After section 30 of the principal Act, the following section shall be inserted, namely:—

"30A. *Delegation of powers.*—The chairman may, from time to time, delegate any of his functions under this Act to the vice-chairman.".

19. *Amendment of section 33.*—In sub-section (2) of section 33 of the principal Act,—

(i) after clause (a), the following clause shall be inserted, namely:—

"(aa) the remuneration, allowances and other conditions of service of, and the powers to be exercised and the duties to be discharged by, the secretary;";

(ii) in clause (c), for the words "the chairman and the other members", the words "the vice-chairman and the other members" shall be substituted.

20. *Amendment of section 34.*—In sub-section (2) of section 34 of the principal Act,—

(i) in clause (b), the words "other than the secretary" shall be added at the end;

(ii) in clause (c), the words "other than the secretary" shall be added at the end;

(iii) for clause (d), the following clauses shall be substituted, namely:

"(d) the powers and functions of the standing finance committee appointed under sub-section (1) of section 11 and the procedure to be followed by that committee in the exercise of its powers and the discharge of its functions;

(e) the functions of the committees appointed under sub-section (2) of section 11 and the procedure to be followed by such committees in the discharge of their functions;

(f) the maintenance of the minutes of the meetings of the Board and the transmission of copies thereof to the Government.".

STATEMENT OF OBJECTS AND REASONS

The Kerala Khadi and Village Industries Board Act, 1957 (Act 9 of 1957) provides for a maximum number of 7 members only in the Board. It is felt that the strength of the Board has to be increased in order to ensure that there is a non-official member to represent each district and that representatives of the Government Departments intimately connected with the activities of the Board, are enabled to assist directly in the activities of the Board. Further, the Secretary to the Board who is mainly responsible for the implementation of the programmes of the Board, is not now a member of the Board. It is considered that the Secretary could more effectively participate in the work of the Board and in its several sub-committees, if he is a member of the Board. As the Secretary is a paid employee under the Board, he is disqualified from being appointed or continuing as a member of the Board according to the provisions of the existing Act. The Bill is intended to increase the maximum number of members of the Board and to enable Government to appoint the Secretary and nominate him also as a member of the Board. This opportunity is also proposed to be availed of to clarify certain points and make some provisions for qualification of members, association of other persons with the Board for assistance or advice, powers of Government to give directions, etc. Some of the amendments proposed are at the instance of the Khadi and Village Industries Commission. Hence the Bill.

FINANCIAL MEMORANDUM

Increase in the number of non-official members of the Board will result in a corresponding increase in the administrative charges on account of the travelling allowance of the members which has to be given to the Board as a grant by Government. It is estimated that the additional financial commitment involved on this account is Rs. 8,000 approximately.

K. A. DAMODARA MENON.

REGISTERED No. M. 4631.

KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

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NOTIFICATION

No. 2252|LA. 4|60.

The following Bill together with the Statement of Objects and Reasons is published, as ordered by the Speaker under Rule 73 of the Rules of Procedure and Conduct of Business in the Assembly.

Legislature Secretariat,
Trivandrum,
21st July 1960.

D. TIRUMALAI IYENGAR,
Secretary,
Legislative Assembly.

PRINTED AND PUBLISHED BY THE S.G.P. AT THE GOVERNMENT PRESS,
TRIVANDRUM, 1960.

L. A. Bill No. 31 of 1960.

THE KERALA APPROPRIATION (No. 3) BILL, 1960.

A

BILL

to provide for the appropriation of certain further moneys out of the Consolidated Fund of the State of Kerala for the service of the financial year commencing on the 1st April 1960.

Preamble:—Whereas it is necessary to provide for the appropriation of certain further moneys out of the Consolidated Fund of the State of Kerala for the service of the financial year commencing on the 1st April 1960;

Be it enacted in the Eleventh Year of the Republic of India as follows:—

1. *Short title*:—This Act may be called the Kerala Appropriation (No. 3) Act, 1960.

2. *Further Appropriation out of the Consolidated Fund for the financial year commencing on the 1st April* 1960:—The State Government may appropriate out of the Consolidated Fund of the State of Kerala, for the financial year commencing on the 1st April 1960, a further sum not exceeding two crores, thirty-four lakhs, sixty thousand and nine hundred rupees, being moneys required to meet—

(*a*) the supplementary grants made by the Kerala Legislative Assembly for that year as set forth in column (3) of the Schedule, and

(*b*) the supplementary expenditure charged on the Consolidated Fund of the State of Kerala for that year as set forth in column (4) of the Schedule.

SCHEDULE

No. of Vote.	Services and purposes	Sums not exceeding		
		Voted by the Legislative Assembly	Charged on the Consolidated Fund	Total
(1)	(2)	(3)	(4)	(5)
		Rs.	Rs.	Rs.
I	Agricultural Income Tax and Sales Tax	41,500	..	41,500
II	Land Revenue	2,70,000	..	2,70,000
III	Excise	..	2,400	2,400
V	Forests	5,400	..	5,400
IX	Heads of States, Ministers and Headquarters staff	7,800	..	7,800
X	State Legislature	1,14,900	5,500	1,20,400
XII	District Administration and Miscellaneous	62,000	..	62,000
XIII	Administration of Justice	8,500	19,100	27,600
XIV	Jails	..	200	200
XV	Police	1,88,500	..	1,88,500
XVIII	Education	39,92,500	..	39,92,500
XIX	Medical	4,25,500	..	4,25,500
XX	Public Health	6,91,100	..	6,91,100
XXI	Agriculture	1,50,000	..	1,50,000
XXIV	Co-operation	7,24,000	..	7,24,000
XXV	Industries	25,000	..	25,000
XXVI	Labour and Miscellaneous	8,92,100	..	8,92,100
XXVII	Civil Works	4,50,000	..	4,50,000
XXVIII	Pensions	15,00,000	..	15,00,000
XXX	Miscellaneous	6,10,100	..	6,10,100
XXXV	Capital outlay on Irrigation (Non-Commercial)	1,50,000	..	1,50,000

No. of Vote	Services and purposes	Sums not exceeding		
		Voted by the Legislative Assembly	*Charged on the Consolidated Fund*	*Total*
(1)	(2)	(3)	(4)	(5)
		Rs.	Rs.	Rs.
XXXVI	Capital outlay on Public Health	6,50,000	..	6,50,000
XXXVII	Capital outlay on Agricultural Improvement	3,00,000	..	3,00,000
XXXVIII	Capital outlay on Industrial Development	1,00,000	..	1,00,000
XL	Capital outlay on Civil Works	59,94,800	..	59,94,800
XLIV	Capital outlay on State Schemes of Government Trading	38,10,000	..	38,10,000
XLV	Loans and Advances by the State Government	22,70,000	..	22,70,000
	Total	2,34,33,700	27,200	2,34,60,900

STATEMENT OF OBJECTS AND REASONS

The Bill is introduced in pursuance of article 204(1) of the Constitution of India read with article 205 thereof, to provide for the appropriation out of the Consolidated Fund of the State of Kerala of the moneys required to meet the supplementary grants made by the Kerala Legislative Assembly and the supplementary expenditure charged on the Consolidated Fund for the expenditure of the Government of Kerala for the financial year 1960-61.

R. SANKAR